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22 South Duke Street
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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Shell's Disposal and Recycling, Inc.
Plaintiff,

vs.

City of Lancaster; City Council
J. Richard Gray; Department of Public
Works; Charlotte Katzenmoyer;
Bureau of Solid Waste and Recycling
Michael J. Devaney; Lancaster County
Solid Waste Management Authority;
And James Warner
Defendants.

CIVIL ACTION

No. CV-07-03545

SUGGESTION OF LIFTING OF AUTOMATIC STAY

Counsel for Defendant City of Lancaster has been advised that an order authorizing the lifting of the stay in the bankruptcy proceedings has been granted. A true and correct copy of the Order is attached hereto as Exhibit "A".

Respectfully submitted,

ZIMMERMAN, PFANNEBECKER,
NUFFORT AND ALBERT

Date:

4/5/11

By:

Neil L. Albert, Esquire
Attorney for Defendants

EXHIBIT “A”

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Case 10-17127-mdc Doc 98-1 Filed 03/17/11 Entered 03/17/11 11:48:01 Desc Proposed Order Page 1 of 1

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: : CASE NO. 10-17127-MDC
: :
SHELL'S DISPOSAL AND RECYCLING, INC., :
Debtor : CHAPTER 11

**ORDER GRANTING STIPULATED MOTION FOR RELIEF FROM THE
AUTOMATIC STAY TO PROCEED WITH FEDERAL DISTRICT COURT ACTION**

UPON CONSIDERATION of the The City of Lancaster and Shell's Disposal and Recycling, Inc. Stipulated Motion for Relief to Proceed with Federal District Court Action it is hereby ORDERED AND DECREED that said motion is GRANTED and the automatic stay is lifted against all defendants to allow the civil rights action filed at case number 07-CV-03545 in the United States District Court of Pennsylvania to proceed. The order granted herein shall not be stayed by Fed. R. Bankr. P. 4001(a)(3).

Magdelene D. Cohen
J. 3/30/11

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FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Shell's Disposal and Recycling, Inc.	:	
Plaintiff,	:	CIVIL ACTION
	:	
vs.	:	No. CV-07-03545
	:	
City of Lancaster; City Council	:	
J. Richard Gray; Department of Public	:	
Works; Charlotte Katzenmoyer;	:	
Bureau of Solid Waste and Recycling	:	
Michael J. Devaney; Lancaster County	:	
Solid Waste Management Authority;	:	
And James Warner	:	
Defendants.	:	

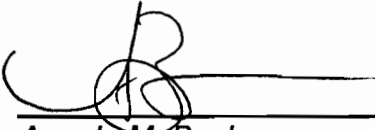
CERTIFICATE OF SERVICE

I, Angela M. Boyle, Legal Assistant to Neil L. Albert, do hereby certify that I today served a true and correct copy of the foregoing Suggestion of Lifting of Automatic Stay via U.S. Eastern District Court's Electronic Case Filing System, addressed as follows:

James D. Young, Esquire
jyoung@laverylaw.com

Luther E. Weaver, III, Esquire
lew@leweaver.com

Dated: April 5, 2011



Angela M. Boyle
Legal Assistant to Neil L. Albert

This document has been electronically filed and is available for viewing and downloading from the ECF system.

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4/5/11